

SN: 09/631,502

Amendment dated April 2, 2003

Reply to Office action mailed January 2, 2003

Amendments to the Specification:

Please replace the paragraph beginning on page 6, line 13, with the following rewritten paragraph:

B₁

--FIG. 4 is a transverse cross-section view through line 4-4 of FIG. 1. As illustrated in this view, blade 9 has a serpentoid or "S" shaped configuration in cross-sectional view. Thus, blade 9 includes a first face 21 having a first concave surface 22 and a first convex surface 23. Blade 9 also includes a second face 25 having a second concave surface 26 and a second convex surface 27. In the illustrated embodiment, first cutting edge 11 faces in the same direction as first concave surface 22 and second cutting edge 12 faces in the same direction as second concave surface 26. Blade 9 of working head 5 also has a height dimension H, a width dimension W that is less than height dimension H and a diagonal, or distraction height, dimension dH ~~D~~ that is greater than height dimension H.--

Please replace the paragraph beginning on page 7, line 6, with the following rewritten paragraph:

B₁

B₂

--FIG. 5 is a distal end-on view of surgical instrument 10. In this view, it will be appreciated that the tapered distal tip 16 of collecting element 15 can include a distal apex 41 to facilitate passing instrument 10 between adjacent surfaces in a surgical field. FIG. 6 is a transverse cross-section view through line 6-6 of surgical instrument 10 illustrating blade 9 in relation to shaft 10. Blade 9 has a cutting height cH, measured between first cutting edge 11 and second cutting edge 12. Blade 9 also has a distraction height dH, measured between rounded distraction surfaces 13, 14. The cutting height dH is less than the distraction height.--

SN: 09/631,502

Amendment dated April 2, 2003

Reply to Office action mailed January 2, 2003

Please replace the paragraph beginning on page 8, line 6, with the following rewritten paragraph:

B3

--It is foreseen that a blade 9 may have a diagonal dimension, or-D distraction height dH or cutting height dimension cH sufficient to distract the vertebrae adjacent the disc space. Instrument 10 can be inserted into the disc space with cutting height dimension cH oriented parallel to the end plates of the vertebrae. Once passed into the intervertebral space, the instrument 10 can be rotated in the direction of arrow 35 around longitudinal axis X-X by turning handle 4. When rotating in this direction cutting edges 11 and 12 are oriented to cut material (such as the nucleus or vertebral end plates) that is contacted by cutting edges 11 and 12 as instrument 10 is rotated. In addition, if diagonal dimension-D distraction height dH is greater than the height of the disc space, during rotation, after cutting edges 11 and 12 contact the end plates of the vertebrae, blade 9 can also cause the end plates to distract or be forced apart from one another as the diagonal dimension-D distraction height dH becomes oriented parallel to the long axis of the spinal column. When rotated in a direction opposite to that shown by arrow 35, the rounded distraction surfaces 13, 14 ~~corners at the ends of diagonal dimension-D~~ can still provide distraction of the vertebrae when the diagonal dimension-D distraction height dH is oriented parallel to the long axis of the spinal column, but cutting edges 11 and 12 will not be oriented for cutting.--